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Attorneys for Plaintiff
VERIGY US, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

VERIGY US, INC, a Delaware Corporation

Plaintiff,

vs.

ROMI OMAR MAYDER, an individual;
WESLEY MAYDER, an individual; SILICON
TEST SYSTEMS, INC., a California Corporation;
and SILICON TEST SOLUTIONS, LLC, a
California Limited Liability Corporation,
inclusive,

Defendants.

Case No. C07 04330 RMW (HRL)

**DECLARATION OF DONALD P.
GAGLIARDI IN SUPPORT OF VERIGY'S
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE DOCUMENTS UNDER
SEAL**

Ctrm.: 2, 5th Floor
Judge: Hon. Howard R. Lloyd

Complaint Filed: August 22, 2007
Trial Date: None Set

AND RELATED CROSS-ACTIONS

1 I, Donald P. Gagliardi, declare as follows:

2 1. I am an attorney licensed to practice law before all of the courts of the State of
3 California. I am a partner with the law firm of Bergeson, LLP, counsel of record for Plaintiff
4 Verigy US, Inc. ("Verigy" or "Plaintiff") in the above-captioned action. I have personal
5 knowledge of the facts set forth in this declaration, and, if called to do so, I could and would
6 competently testify thereto.

7 2. I submit this declaration in support of Verigy's Administrative Motion for Leave to
8 File Documents Under Seal.

9 3. I have reviewed the following materials ("the Materials"):

10 a. Portions of Verigy Inc.'s Memorandum of Points and Authorities in
11 Opposition to Defendants' Motion to Quash Subpoena Served on Mount & Stoelker PC (the
12 "Opposition").

13 4. I have determined that these Materials (hereafter "the Materials") disclose
14 information that has been designated as "Confidential" or "Highly Confidential – Attorneys' Eyes
15 Only" by the parties under the protective order, without objection to those designations (although
16 Verigy reserves its rights to challenge such designations pursuant to the Stipulated Protective
17 Order).

18 5. The confidentiality interest of the parties therefore overcomes the right of public
19 access to the record, as a substantial probability exists that the parties' overriding confidentiality
20 interest will be prejudiced if the record is not sealed. Further, the proposed sealing is narrowly
21 tailored and no less restrictive means exist to achieve this overriding interest.

22 I declare under penalty of perjury under the laws of the United States of America that the
23 foregoing is true and correct and that this declaration was executed this 16th day of September,
24 2008 at San Jose, California.

25 _____
26 /s/
27 Donald P. Gagliardi
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